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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,749	11/07/2001	Glenn R. Engel	10003417-1	9066

7590 02/06/2006

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P.O. Box 7599  
Loveland, CO 80537-0599

EXAMINER
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PERUNGAVOOR, VENKATANARAY

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 02/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/005,749

Applicant(s)

ENGEL, GLENN R.

Examiner

Venkatanarayanan Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration..
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. The Applicant's arguments filed on 1/23/2006 are not persuasive. As Scholer discloses the first processor sending of the message using the random key see Col 2 Ln 65-68. And further the random key is the key in question as recited in the claims.
2. The Applicant's arguments regarding Claim 1 are not persuasive as Scholer discloses the sending of a message from terminal 6 to terminal 4, and more precisely illustrated in Fig. 2 terminal A & terminal B where the terminal and the security service station share an common network and there are message communicated amongst each other item 10.
3. The Applicant's arguments regarding Claim 2 are not persuasive as Scholer discloses the terminals having an keyboard and display while the SSS lacks these features see Col 11 Ln 43-53.
4. The Applicant's arguments regarding Claim 4 is not persuasive as Scholer discloses the message being sent from terminal 6 to terminal 4, and more precisely illustrated in Fig. 2 terminal A & terminal B where the terminal and the security service station share an common network and there are message communicated amongst each other item 10.

5. The Applicant's arguments regarding Claim 5 and 6 is not persuasive. As Scholer anticipates the internet and LAN see Col 13 Ln 9-16(where Scholer discloses the public network key) & Col 12 Ln 15-24.
6. The Applicant's arguments regarding Claim 7 is not persuasive. As Scholer discloses the first and third data processors having higher level of security than the insecure network see Col 13 Ln 47-61.
7. The Applicant's arguments regarding Claim 8 is not persuasive. As Scholer discloses the encryption system based on key K requiring less than PKI system see Col 13 Ln 33-46 & Col 25-40(As it commonly known in the art that PKI require less resources than DES encryption which involves shifting/xor/memory-lookup and etc...)
8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 102***

9. Claim 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,458,109 to Mueller-Scholer.

10. Regarding Claim 1, Scholer discloses the forwarding of keys using a security station service, where an second processor sends key to third processor see Col 2 Ln 34-42; the third processor forwarding the key to first processor and first processor sending a message using the key see Col 2 Ln 60-65 & Col 6 Ln 20-38.
11. Regarding Claim 2, Scholer discloses the first processor having insufficient computational resources to execute second encryption protocol see Fig. 4B item 8, 63.
12. Regarding Claim 3-4, Scholer discloses the second encryption protocol being a public key protocol and sending a key in response to a message from first processor to second processor see Col 5 Ln 32-42 & see Fig. 1 item 10.
13. Regarding Claim 5-6, Scholer discloses the internet and LAN see Col 6 Ln 56-66 & Fig. 1.
14. Regarding Claim 7-8, Scholer discloses the network being more secure than the other and also the first encryption protocol having requiring less computational resource than the second encryption protocol see Col 5 Ln 25-28 & Fig. 2.

### ***Conclusion***

**15. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

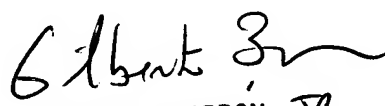
**16.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Venkatanarayanan Perungavoor  
Examiner  
Art Unit 2132

*VP*  
1/31/2006

  
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